IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 20TH JULY 2007 / 29TH ASHADHA 1929

LA.App..No. 984 of 2007()

LAR.28/2003 of ADDL.SUB COURT, KOCHI
.....

APPELLANT: APPELLANT/RESPONDENT

STATE OF KERALA,
REP.BY DISTRICT COLLECTOR, ERNAKULAM.

BY GOVERNMENT PLEADER SHRI K.V. MANOJ

RESPONDENTS: CLAIMANT IN THE LAR
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1. JOSEPH VICTOR,
S/O.LATE M.C.JOSEPH, MARAKKASSERI HOUSE,
OACHAMTHURUTHU P.O., PUTHUVYPU VILLAGE,
KOCHI TALUK, ERNAKULAM DISTRICT, PIN 682 508.

2. KERALA WATER AUTHORITY,
REP.BY ITS MANAGING DIRECTOR,
THIRUVANANTHAPURAM.

BY

THIS LAND ACQUISITION APPEAL HAVING COME UP FOR ADMISSION ON 20/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Kurian Joseph & T.R. Ramachandran Nair, JJ.

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L.A.A..NO.984 of 2007

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Dated this the 20th day of July, 2007

JUDGMENT

Kurian Joseph, J.

This appeal is filed against the judgment and decree in L.A.R. No.28/2003 on the file of the Additional Sub Court, Kochi. The acquisition is for the purpose of Hudco Water Supply Scheme. Section 4(1) notification was published on 5.1.1999 fixing the land value at the rate of Rs.60,804/- per cent. The reference court enhanced the land value and fixed it at Rs.89,700/- per cent. It is seen that the reference court has placed reliance on Exts.A2 and A3. They are documents executed in the year 1996. Since Section 4(1) notification is of the year 1999, according to us, the reference court rightly fixed the land value by giving 50% enhancement per cent taking note of the progressive escalation in price.

Therefore, there is no merit in the appeal and the same is accordingly dismissed.

(Kurian Joseph, Judge.)

(T.R. Ramachandran Nair, Judge.)